

REMARKS

Reconsideration of this application is respectfully requested. Claims 17-40 stand rejected under 35 U.S.C. § 103(a) as being anticipated by US Patent No. 6,829,704 B2 by Zhang, et al. (hereinafter “Zhang”) in view of U.S. Patent No. 5,530,879 by Crump, et al. (hereinafter “Crump”).

Applicants submit that Zhang qualifies as prior art only under 35 U.S.C. § 102(e) based on its filing date of April 13, 2001 and issue date of Dec. 7, 2004. Applicants reserve the right to swear behind the reference at a later date to disqualify the reference as prior art.

Claim 17-26

Applicant respectfully submits that claims 17-26 are not obvious over Zhang in view of Crump. Claim 17 recites:

A method, comprising:
activating an idle storage device in a computer system to transfer
data while a main processor of the computer is idle;
executing the data transfer; and
returning system resources to an idle state.

(Claim 17) (emphasis added). Zhang and Crump, either individually or in combination, do not teach or suggest activating an idle storage device in a computer system to transfer data while a main processor of the computer is idle, as claimed.

Zhang discloses activating inactive software options pre-installed on a device upon initialization of the device in order to avoid installation during device operation. (Zhang, Abstract). Zhang discloses that upon receiving a request for activation of an inactive software application resident on the device, processors on the device generate and transmit an electronic enabler configured to activate the software application.

(Zhang, col. 2, lines 50-55). Thus, Zhang clearly discloses that the processors of the device are active during activation of an inactive software application and therefore, does not teach or suggest the claimed limitation of “activating an idle storage device in a computer system to transfer data while a main processor of the computer is idle.”

Crumps does not supply the missing claimed element. Crumps merely discloses a computer system having a power supply that has multiple states. (Crumps, Abstract). Crumps is silent about and therefore, does not teach or suggest the claimed limitation of “activating an idle storage device in a computer system to transfer data while a main processor of the computer is idle.”

Based on teachings of Zhang, the combination of Crumps and Zhang would teach a processor capable of multiple power states, but that activates an idle storage device while the processor is active. Further, there is inadequate motivation to combine Crumps and Zhang.

Therefore, the combination cannot render obvious Applicant’s invention as claimed in claim 17-26, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over this combination.

Claims 27-32

Claim 27 recites:

An apparatus comprising:
means for activating an idle storage device in a computer system to transfer data while a main processor of the computer is idle;
means for executing the data transfer; and
means for returning system resources to an idle state.

(Claim 27) (emphasis added). As discussed above, Zhang and Crump, either individually or in combination, do not teach or suggest activating an idle storage device

in a computer system to transfer data while a main processor of the computer is idle, as claimed.

Therefore, the combination cannot render obvious Applicant's invention as claimed in claim 27-32, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over this combination.

Claims 33-40

Claim 33 recites:

A machine-readable medium having executable instructions to cause a processor to perform a method, the method comprising:
activating an idle storage device in a computer system to transfer data while a main processor of the computer is idle;
executing the data transfer; and
returning system resources to an idle state.

(Claim 33) (emphasis added). As discussed above, Zhang and Crump, either individually or in combination, do not teach or suggest activating an idle storage device in a computer system to transfer data while a main processor of the computer is idle, as claimed.

Therefore, the combination cannot render obvious Applicant's invention as claimed in claim 33-40, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over this combination.

SUMMARY

Claims 17-40 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Tom Ferrill at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

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